



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,650	08/26/2003	Naohito Takae	1614.1348	2446
21171	7590	12/21/2005	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			NGUYEN, DUC MINH	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 12/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 5, 7 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiromoto (JP 2000-333258) in view of Nitaki (US 2001/0005890).

Consider claims 1, 5, 7, 11. Hiromoto teaches a content providing method, comprising providing a request content service (information menu service (IMC); § 0004-0007) to a user's portable telephone (mobile phone 11a or 11b) when a menu registration identifier (see § 0005, authentication information) is contained in a content requesting signal transmitted from the user's portable telephone to the content provider (information menu service (IMC); § 0004-0007), wherein the menu registration identifier (see § 0004-0007 and 0008-0012, fig(s). 1-2) indicates that the user's portable telephone is registered for the requested content service in a user menu information database of a communications carrier (MSC 13a-b, network 17 and location register 14; see § 0004-0007 and 0008-0012, fig(s). 1-2). Hiromoto further teaches that "the information menu center which holds the contract information about information offer of a user, and generates the information menu which should be offered to a user from this user contract information" (see § 0006 of the translation). This clearly meets the limitations the user selects one content from a list of at least one content only which the user's portable telephone

Art Unit: 2643

has been registered. Hiromoto does not clearly teach a regular menu including contents, which will be available after a registration.

Nitaki teaches that a user selects one content from a list of at least one content only which the user's portable telephone has been registered from a regular menu including contents which will be available after a registration (see § 121, 125 through § 129) for the purpose of allowing the management and registration of an access right of a user to be simplified (see § 0007).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Nitaki into the teachings of Hiromoto for the purpose mentioned above.

3. Claims 2-4, 6, 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nitaki (US 2001/0005890) in view of Hiromoto (JP 2000-333258).

Consider claims 2-4, 6, 8-9, 11. Nitaki teaches requesting a communication carrier (gateway 22 and contents server 21, fig(s). 3) to register a user's portable telephone in a user information database (i.e., any contents data or contents server), when a registration identifier (i.e., assigning user ID and password), which registration identifier indicates that the user's portable telephone is registered in the user information database of the communications carrier for a request content service, is not contained in a content-requesting signal transmitted from the user's portable telephone to the content provider (see § 121, 125 through § 129). Nitaki does not teach the use of menu information database. However, Hiromoto teaches the use of information menu service (IMC, see § 0004-0007); and a menu registration identifier (see § 0005, authentication information) is contained in a content requesting signal transmitted from the

Art Unit: 2643

user's portable telephone to the content provider (information menu service (IMC); § 0004-0007), wherein the menu registration identifier (see § 0004-0007 and 0008-0012, fig(s). 1-2) indicates that the user's portable telephone is registered for the requested content service in a user menu information database of a communications carrier (MSC 13a-b, network 17 and location register 14; see § 0004-0007 and 0008-0012, fig(s). 1-2) for the purpose of providing flexible, high quality information menu service to the users (see the entire abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Hiromoto into the teachings of Nitaki for the purpose mentioned above.

Consider claim 10. Nitaki, § 0007 and § 102 clearly teach the step of adding content charges (i.e., tolling).


Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Nguyen whose telephone number is 571-272-7503. The examiner can normally be reached on 7:00AM-3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 571-272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2643

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Duc Nguyen
Primary Examiner
Art Unit 2643

12/16/05